

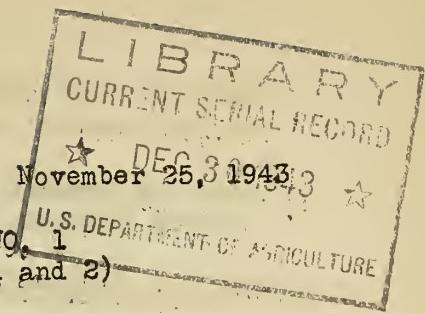
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WAR FOOD ADMINISTRATION
Food Distribution Administration
Washington 25, D. C.

INDUSTRY OPERATIONS BRANCH MEMORANDUM NO. 1
(Cancels Processors Branch Memoranda Nos. 1 and 2)



To: Branch and Division Chiefs and Regional Directors
From: E. A. Meyer, Chief, Industry Operations Branch
Subject: Policies and Procedures to be Observed in the Formation and Operation of Food Industry Advisory Committees

I. GENERAL.

In accordance with Director's Memorandum No. 43, the Chief of the Industry Operations Branch will impart to a Branch Chief any information relative to the advisability of forming a Food Industry Advisory Committee. The Branch Chief will determine whether or not a Food Industry Advisory Committee should be formed for an industry under his jurisdiction. The Chief of the Industry Operations Branch may form and operate Food Industry Advisory Committees when an industry is under the jurisdiction of more than one commodity branch.

II. INDUSTRY REPRESENTATION.

- A. Committee members should, in general, be selected from the top executive staff of a company, and care will be given that alternates from other than the executive level are not substituted. Alternates must be officers of the committee member's own company.
- B. The original invitation will state that attendance is limited to one representative from any company. This limitation will remain effective except when additional representation is needed to advise on technical or special problems.
 1. Should additional representation from one company be requested, the advisability of extending additional representation to all committee members will be considered.
 2. A committee member may be requested to send another representative from his company as alternate when the Government Chairman believes the alternate better qualified by his technical knowledge and experience to discuss the subjects on the program.
- C. When a committee member is unable to attend, the Government Chairman may recommend that a representative be invited from another company having the same general qualifications as the member's company.
- D. Invitations to industry representatives other than committee members will be extended only:

1. When the need for additional representation is clearly shown, as when special or technical problems are concerned.
2. When the representative character of the committee is not thereby impaired.

III. GOVERNMENT REPRESENTATION.

- A. It is the duty of the Chief of the Industry Operations Branch to notify Government agencies whose programs are specifically concerned in the program of the meeting. When, in his opinion, agencies other than those proposed by the Government Chairman should be invited, he will clear the appropriateness of such invitations with the Branch. When the Government Chairman desires representation from agencies whose functions are not clearly concerned in the agenda, the Chief of the Industry Operations Branch may withhold such invitations pending clearance with the Branch Chief.
- B. Attendance for observational purposes is discouraged. Requests on the part of any agency for the privilege of sending a regular representative to each meeting of the committee will be declined pending a decision by the Deputy Director.
- C. Attendance by superiors in the Government Chairman's direct line of authority and by a representative of the Solicitor's Office will, at all times, be sought, and notices of all meetings of any committee will be sent such persons on request.
- D. Government representation must be from levels at least as high as those to which the industry members go for day-to-day decisions on their problems. It is the duty of the Industry Operations Branch to inform the appropriate authority when the character of representation does not conform to this policy.

IV. FORMATION OF THE COMMITTEE.

- A. The appropriate Branch Chief addresses a memorandum, approved by the Deputy Director in charge of Order Clearance, to the Chief of the Industry Operations Branch, recommending appointment of the Government Chairman. The memorandum should contain:
 1. Name of proposed committee.
 2. Name and title of proposed Government Chairman.
 3. Brief statement of reasons for formation of the committee.
- B. The Chief of the Industry Operations Branch shall immediately prepare a memorandum of appointment for the Director's signature, unless unusual circumstances exist. If he is unable to approve the recommendation, he will notify the Branch Chief, stating the reasons for nonapproval.
- C. The appointment of the Government Chairman having been approved, he shall then make recommendations as to the membership of the

committee in a memorandum approved by his Branch Chief, addressed to the Chief of the Industry Operations Branch. The following information should be included:

1. Name of the committee.
2. Proposed date and expected duration of the first meeting.
3. Full name, title, company, and address (including street address in cities) of the recommended members.
4. Size of each company.
5. Trade association affiliation of each company.
6. Segment or subdivision of the industry represented by each company.
7. Efforts made to select membership identical with that of the corresponding OPA committee.
8. Any other pertinent information about each company necessary to decide whether the committee is representative.
9. Tables substantially as follows:

(The Chief of the Industry Operations Branch will designate an advisor to assist the Government Chairman in preparing these data.)

Table a.

Type of Company	Number in the industry	Percentage of total volume transacted by ^{1/}	Number on Committee	Percentage on the Committee
Large companies ^{2/}	:	(a)	:	(b)
Medium companies ^{2/}	:	:	:	:
Small compaines ^{2/}	:	(x)	:	(y)

(b) should not be larger than (a), and (x) should not be larger than (y).

1/ Any other convenient yardstick, such as labor employment, capitalization, etc., may be used.

2/ State how size is determined and give source of information.

Table b.

Type of Representation	:Representation members	Geographical distribution by:				Information on segments, etc.	
		:volume percent:-					
		:trade associa-	<u>area/</u>	:Mid-	:West:		
In industry ^{2/}	:	(x)	a	a	a	a	
On committee ^{2/}	:	(y)	b	b	b	b	

(y) should not be larger than (x). a and b should be approximately the same.

1/ Any other convenient yardstick may be used.

2/ Give source of information.

D. The Chief of the Industry Operations Branch determines whether the proposed committee membership is representative of the industry and conforms so far as possible with the OEA committee for that industry, and issues invitations to serve, giving (when possible) the date, time, room number, tentative program, and duration of the first meeting. A prompt reply will be requested.

1. If the committee, as recommended, is not representative or does not meet with the approval of the OPA, the Chief of the Industry Operations Branch will inform the Government Chairman promptly, advising him what type of changes should be made.
2. If any person declines to serve, the Chief of the Industry Operations Branch will notify the Government Chairman and request him to furnish the name of an appropriate replacement.

E. After receiving acceptances, the Chief of the Industry Operations Branch will prepare letters of appointment for the Director's signature.

V. MEETINGS OF ESTABLISHED COMMITTEES.

- A. Except in the case of emergencies, no meetings will be called with less than 2 weeks' notice.
- B. When a meeting becomes necessary, the Government Chairman addresses a memorandum to the Chief of the Industry Operations Branch covering:
 1. The name of the committee.
 2. Proposed date and duration of the meeting.
 3. Purpose of the meeting.
 4. Whether or not a joint or consecutive meeting is desired by OPA.
- C. At least 10 days before the meeting date the Government Chairman will submit a proposed agenda, together with the list of Government representatives to be invited, stating reasons for desiring them, unless it is obvious from the program.
- D. The Industry Operations Branch will issue all notices of and invitations to the meeting, including a copy of the agenda.
- E. When necessary in order to correlate policy, the Industry Operations Branch may call a review meeting of all Government representatives before the date of the full committee meeting.
- F. In all cases, the commodity branch chief, the Government Chairman, and a representative of the Industry Operations Branch will meet the day before the full committee meeting to clear any matters in regard to policy and to work out the final time schedule.

VI. RESPONSIBILITIES OF THE CHIEF OF THE INDUSTRY OPERATIONS BRANCH.

- A. Issue invitations and notices of committee meetings.

- B. Provide suitable conference rooms for meetings.
- C. Provide competent reporters to prepare summaries of the meetings.
 - 1. Government Chairmen will be allowed 48 hours in which to approve or amend the summaries. After clearance with the Solicitor a copy of the summary will be sent to committee members, Government representatives, and the Regional Directors. Distribution may also be made to trade associations if the summary does not contain confidential material and if the association will distribute it to all units in the industry. The Government Chairman may, for good reasons, request that no distribution be made.
 - 2. Verbatim transcripts will be prepared only on written request of the industry, and such requests must be justified.
- D. Prepare a draft of a press release to be issued after each meeting, unless otherwise instructed by the Government Chairman. It is advisable to include a discussion of the subject matter to be released as a last item on the agenda of the meeting. Copies of the proposed press release will be sent to the Government Chairman and to the Marketing Reports Division. The Marketing Reports Division will prepare the final draft and clear with the Branch.
- E. Supervise the preparation and maintenance of complete files on each committee and each meeting thereof for the use of authorized persons.
- F. Send to the Solicitor and the Chief of the commodity branch notice of each meeting in advance, together with a brief program of the meeting.
- G. Cooperate with the Solicitor and the Government Chairman to protect committee members:
 - 1. By limiting discussions to the exchange of advice, information, and recommendations pertinent to the functions of the War Food Administration.
 - 2. By informing the committee that although meetings of industry with the Administration or its representatives for the purpose of giving advice and making recommendations are legal, no agreement or action of any kind should be made or taken by committee members except upon the written request of the Government Chairman. The Government Chairman will make such a request only after the proposed action or agreement has been given the necessary legal clearance.
 - 3. By stating that any meeting of committee members not properly called and held in the presence of the Government Chairman may be regarded by the Department of Justice as subject to the normal operation of the Antitrust Laws.

- H. Promote cooperative and joint use of Industry Advisory Committees with other agencies.
- I. Be available to personnel of the Branches for information and advice on all phases of committee work.
- J. Prepare a report, with the assistance of the Government Chairman, to the Director in charge of Order Clearance in all cases where the proposed program of the Food Distribution Administration presented at a committee meeting encounters considerable opposition.



Chief, Industry Operations
Branch